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CENTRAL FAX CENTER**Remarks****AUG 02 2007**

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 3-6, 9-11, 13, 17-21, 23-26, 29-30, 34, 36-37, and 39-43 are amended. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., page 14, line 20 to page 15, line 6; page 17, line 17 to page 18, line 9), figures (e.g., FIG. 2), and claims (e.g., previous claims 2 and 22) and thus, no new matter has been added. Claims 1, 3-21, and 23-43 are pending.

Claim Rejections - 35 U.S.C. § 112

Claims 1-43 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Office Action alleges that the term "one or more of the one or more intelligent network platforms" is indefinite. Claims 1-43 have been amended to replace the cited text with "one or more of at least one intelligent network platform."

Withdrawal of the § 112 rejection is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 3-21, and 23-43 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jiang et al. (U.S. Patent App. Pub. No. 2004/0120494; "Jiang") in view of Dammrose et al. (U.S. Patent No. 6,922,468; "Dammrose"). This rejection is respectfully, but most strenuously, traversed.

For explanatory purposes, applicants discuss herein one or more differences between the claimed invention and the Office Action's citation to Jiang and Dammrose. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action's citations to Jiang or Dammrose correspond to the claimed invention.

Applicants respectfully submit that the Office Action's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Office Action's citations to the applied references is proper, do not teach or suggest the service control point that receives the first message from the standards based mobile switching center for the first call leg of the call and employs signaling to cause the standards based mobile switching center to connect the first call leg to the intelligent peripheral, as recited in applicants' independent claim 1.

Referring to the Background of the present application, some examples of prior art solutions require mobile switching centers (MSCs) and home location registers (HLRs) to be modified from standards (e.g., ANSI standards) to enable the ringback tone service. In these examples, it may be undesirable to use non-standardized ANSI network elements to provide the ringback tone service. In addition, ANSI standardized network elements may be unable to use the ringback tone service implemented by the modified network elements.

Referring to the Detailed Description of the present application (page 8, line 23 to page 9, line 2), in one example the MSCs 106 and 108 and the HLR 114 comprise standards based network components. Therefore, the MSCs 106 and 108 and the HLR 114 do not require modifications to enable the ringback tone service. As recited in claim 1, the SCP and IP are configured to communicate with the standards based mobile switching center. Accordingly, the

ringback tone service may be implemented without proprietary extensions or modifications to the MSC and HLR.

Jiang uses a modified MSC and HLR to trigger the ringback tone service. Jiang (paragraph 30) discloses:

The MSC 104 contacts the HLR 112, which performs a database lookup for the user 110 and returns a service flag to the MSC 104. The service flag provides a number of pieces of information including whether the user 110 has subscribed to a custom ringtone feature...

Jiang discloses that the HLR contains subscription information for the custom ringtone feature. The HLR returns the service flag with the subscription information to the MSC. Jiang further discloses (para. 32) that the MSC receives a message from the SCP that includes a number of parameters that indicate the details of the custom ringback. The system is programmed to use undefined elements within defined parameters. Jiang states that the use of the undefined elements does not disrupt inter-vendor inter-operability across the standard interface. However, applicant notes that the MSC and HLR must be modified (i.e., "programmed") to handle the undefined elements. For example, the MSC must be modified to receive and recognize the elements from the SCP (para. 32), to convey the information regarding the custom ringtone to the IP (para. 33), and to instruct the IP to play the audio clip (para. 33). In addition, Jiang further discloses (para. 51) that certain implementations are not compatible with a custom ringback service that modifies a subscriber's calling line identification. Jiang also discloses the use of proprietary MSC features (Nortel provisioning tool on the Nortel Networks MSC, para. 50) that may not be available on a standards based mobile switching center.

The MSC disclosed by Jiang may be further modified to include a timer which is initiated by the information in the message from the SCP (para. 34). After the timer expires, the MSC will initiate the connection to the subscriber. In contrast, applicant's intelligent peripheral

initiates the second call leg to the called communication device through the standards based mobile switching center to connect with the called communication device (claim 1, lines 15-19; page 14, line 20 to page 15, line 6). Jiang teaches that the MSC has been modified to provide the ringback tone service. Jiang fails to disclose the service control point and the intelligent peripheral that are configured to communicate with the standards based mobile switching center. Jiang also fails to disclose the second call leg from the intelligent peripheral to the called communication device. This point is conceded by the Office Action (page 4, 1st para.). Jiang fails to disclose the service control point that receives the first message from the standards based mobile switching center for the first call leg of the call and employs signaling to cause the standards based mobile switching center to connect the first call leg to the intelligent peripheral.

Accordingly, the Office Action's citation to Jiang fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

Dammrose discloses (col. 1, lines 7-14) the use of Local Number Portability (LNP) features to trigger additional services by redirecting calls to the service node. If a number requires redirection to provide the service, it is listed as a ported number. The local exchange switch and the corresponding service provider network must support LNP and be provisioned to determine if a dialed number is a ported number (column 5, lines 3-5). The local routing number (LRN) associated with the dialed number directs the call to the service node (column 5, lines 9-13). However, in some examples the switch may not belong to the service provider of the called party.

Dammrose discloses that the N-1 switch must perform the LNP query and determine a route to the service node (col. 7, lines 16-22). Accordingly, the N-1 switch routes the call to the service node before the call has reached the mobile switching center for the terminating

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telephone. Dammrose fails to disclose the service control point that receives the first message from the standards based mobile switching center for the first call leg of the call and employs signaling to cause the standards based mobile switching center to connect the first call leg to the intelligent peripheral. immediate

Accordingly, the Office Action's citation to Dammrose fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

In addition, applicant notes that the Jiang and Dammrose teach different approaches to invoking a service. As disclosed by Jiang (para. 30), a service flag is set in the HLR to cause the MSC to route the call to the SCP. As disclosed by Dammrose (para. col. 3, lines 37-50), a Local Number Portability feature has been adapted to redirect the call to a service control point. In contrast, one implementation of applicants' invention allows for standard wireless intelligent network triggers to direct the call to the service control point for invocation of the ringback tone service.

For all the reasons presented above with reference to claim 1, claims 1, 20, 25, 26, 37, and 40 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, 20, 25, 26, 37, and 40, as well as for their own additional characterizations.

Withdrawal of the § 103 rejections is therefore respectfully requested.

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In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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